

# **Guidance for applying for an Education, Health and Care Plan:**

## **Plan:**

### **August 2014**

#### **About this guidance:**

This guidance relates to the local authority process of initial applications for an Education, Health and Care Plan. This guidance should be read alongside the SEN Coordinated Support Pathway Diagram.

#### **Expiry or review date:**

This guidance will be kept under review and updated when necessary.

#### **Which legislation does this guidance refer to?**

- Special educational needs and disability code of practice: 0 to 25 years (July 2014, DfE &DoH)
- Equality Act (2010)

#### **Who is this guidance for?**




All education professionals involved in the transfer process;

- Headteachers, Principals, Senior Leaders, SENCO's and Lead Practitioners working in post maintained setting
- Connexions
- LA SEN Team
- Educational Psychologists
- Specialist Teaching Team
- Early Years Specialist Teaching Team







#### **Key Points:**



1. Who is eligible for an Education, Health and Care Plans
2. Before applying for an Education, Health and Care Plan
3. Applying for an Education, Health and Care Plan
4. Finalising the Education, Health and Care Plan

## 1. Who is eligible for EHC Plans

	<p>“The majority of children and young people with SEN or disabilities will have their needs met within local mainstream early years settings, schools or colleges” (SEND Code of Practice, 9.1)</p>
	<p><b><u>The definition of Special Educational Needs</u></b> (SEND Code of Practice, introduction)</p> <p>xiii - a child or young person has a learning difficulty or disability which calls for special educational provision to be made for him or her.</p> <p>xiv – a child of compulsory school age or a young person has a learning difficulty or disability if he or she;</p> <ul style="list-style-type: none"> <li>• Has a significantly great difficulty in learning than the majority of others if the same age, or</li> <li>• Has a disability which prevents or hinders him or her from making use of the facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.</li> </ul> <p>xvi – a child under compulsory school age has special educational needs if he or she is likely to fall within the definition in paragraph xiv above when they reach compulsory school age or would do so if special educational provision was not made for them.</p>
	<p><b><u>The definition of Disability</u></b> (SEND Code of Practice, introduction)</p> <p>xviii – Many children and young people who have SEN may have a disability under the Equality Act 2010 – that is “...a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities”. This definition provides a relatively low threshold and includes more children than many realise: ‘long-term’ is defined as ‘a year or more’ and ‘substantial’ is defined as ‘more than minor or trivial’. This definition includes sensory impairments such as those affecting sight and hearing, and long-term health conditions such as asthma, diabetes, epilepsy and cancer. Children and young people with such conditions do not necessarily have SEN, but there is a significant overlap between disabled children and young people and those with SEN. Where a child or young person requires special educational provision they will also be covered by the SEN definition.</p>




## 2. Before for applying for an Education, Health and Care Plan – My Support Plan

	<p><b>ASSESS:</b> The family and/or professional identifies that the child or young person has a special educational need or disability. A lead practitioner will be identified who will meet with the family and gather the information to write a 'My Support Plan' (MSP) with the child, young person and family.</p>
	<p><b>PLAN:</b> A MSP meeting will be held to pull together all the information gathered. During this meeting outcomes should be identified for the child or young person and provision should be set to meet those outcomes.</p>
	<p><b>DO:</b> The MSP will then be implemented, putting in place any provision stated in the plan. Progress towards outcomes should be monitored regularly throughout this time.</p>
	<p><b>REVIEW:</b> A MSP meeting will be held to review the progress. If further advice is needed then this should be sought from the educational psychologist, other educational professionals or health or social care professional.</p>
	<p><b>ASSESS:</b> The child or young person's special educational needs should then be assessed by that professional, who will make suggestions for appropriate strategies, outcomes and provision.</p>
	<p><b>PLAN:</b> A MSP meeting will be held to pull together all the information gathered. During this meeting outcomes should be identified for the child or young person and provision should be set to meet those outcomes.</p>




	<p><b>DO:</b> The MSP will then be implemented, putting in place any provision stated in the plan. Progress towards outcomes should be monitored regularly throughout this time.</p>
	<p><b>REVIEW:</b> A MSP review meeting will be held to consider progress. If further advice is needed then this should be sought from the relevant professionals and /or educational psychologist. At this stage, if the child or young person requires a higher level of support then a request for an Education, Health and Care (EHC) needs assessment can be made. This application needs to be supported by Educational Psychologist.</p>

### 3. Applying for an Education, Health and Care Plan


#### Week 1:

	<p>A request for statutory assessment (RSA) form and a copy of the completed, reviewed 'MSP' and any supporting evidence should then be submitted to the local authority for consideration. This should be emailed to <a href="mailto:SENdept@york.gov.uk">SENdept@york.gov.uk</a> .</p>
	<p>The MSP and any supporting evidence will be quality assured by the SEN team. If further evidence is needed then the educational setting who submitted the plan will be asked to provide this information.</p>
	<p>All of the evidence submitted will then be considered by the EHCP panel. The EHCP panel will decide whether the child or young person should continue to be supported with a MSP or whether the child or young person should proceed to an EHC needs assessment.</p>


**Week 2:**


 <hr/>	<p>After the EHCP panel phone calls will be made by the allocated SENDO to:</p> <ol style="list-style-type: none"> <li>1) Parents or young person</li> <li>2) The Educational Setting</li> </ol> <p>to inform them of the decision made. If the decision is to proceed to an EHC needs assessment then the date for the Co-ordinated Assessment Meeting will be arranged during these phone calls.</p>
	<p>During the conversation with parents or young people, the SENDO will discuss the options of having a personal budget for aspects of the provision. Further information will be sent out to the parents or young person for consideration and the SENDO will offer to meet to discuss a personal budget in greater detail.</p>
 <hr/>	<p>The SENDO will then contact all the professionals involved with the child or young person to;</p> <ul style="list-style-type: none"> <li>• Invite them to the CAM</li> <li>• To ask them if they have any further information they wish to submit about the child or young person.</li> </ul>

**Week 6:**



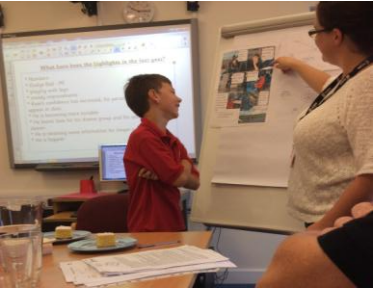
	<p>The allocated SENDO will make contact with the parent or young person to find out whether they would like to consider a personal budget for any part of the Education, Health and Care Plan.</p>
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**Week 9:**

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	<p>The allocated SENDO makes a phone call to</p> <ol style="list-style-type: none"> <li>1) Parents/young person <ul style="list-style-type: none"> <li>• to check that they are prepared for the CAM</li> <li>• check key issues</li> <li>• if there is anything in particular they wish to discuss</li> </ul> </li> <li>2) The Educational Setting <ul style="list-style-type: none"> <li>• to check the arrangements for where the meeting is to take place and the equipment needed (access to a IWB and flip chart)</li> <li>• if there is anything in particular they wish to discuss at the meeting</li> <li>• whether the child or young person will be attending the meeting and / or has a contribution to make at the start of the meeting</li> </ul> </li> </ol>
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### **Week 11: The Co-ordinated Assessment Meeting**

	<p>Everyone will be welcomed to the meeting by the allocated SENDO. They will introduce themselves and give a brief explanation about what will happen at the meeting.</p>
	<p>Everyone present will be asked to introduce themselves and sign in, giving their names and how they are involved with the child or young person.</p>
	<p>The meeting will start with sharing the child or young person's and families contribution with a particular focus on their highlights in the last year, their successes and achievements and what they want from the future.</p> <p>A few children may wish to leave the meeting after this.</p>

	<p>The meeting will then continue to cover the following sections on the power point, sharing the contributions already made by the child or young person, parents and professionals. Any additional contributions will be made on a flip chart. The sections of the MSP to discuss are;</p> <ul style="list-style-type: none"> <li>• highlights</li> <li>• hopes for the future</li> <li>• hopes for the coming year</li> <li>• what's working well?</li> <li>• what would be helpful / needs to change?</li> </ul>
	<p>Setting Outcomes: This should be the main focus of this meeting and the role of the SENDO is to facilitate the child or young person, parents and professionals involved in deciding robust outcomes based on the previous discussions, which are then broken down into achievable steps.</p>
	<p>Any provision to be met through a personal budget will be discussed.</p>
	<p>Parents or the young person will be asked if the MSP can be registered with children's advice team. The content of the plan will not be held, just the knowledge that there is a plan and the name of the lead practitioner. This is to enable practitioners to find out who else is involved with a child, young person and their family. Parents or young people will always be asked for permission before the contents of the plan are shared.</p>

### Week 12:

	<p>The updated MSP is then taken back to EHCP panel for the final decision to be made. If it is decided to proceed to an EHC Plan, then panel will also decide how much additional funding to allocate, including aspects of provision which is to be provided through a personal budget.</p>
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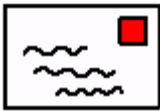
The allocated SENDO will then make phone call to

- 1) Parents/young person
- 2) The Educational Setting

To inform them of the decision made

#### **4. Finalising the Education, Health and Care Plan**

##### **By the end of Week 14:**



The parents/young person will be sent a final draft of the EHC Plan for their approval. They will also be asked to state which educational setting they wish their child or young person to attend. They will be given 15 calendar days to respond.

##### **By the end of Week 16:**



The educational setting requested by the parents will be sent a copy of the child or young person Education Health and Care Plan to confirm whether they are willing to take the child or young person onto their role.

##### **By the end of Week 18:**



The final EHC Plan will be issued to parents / young person and educational setting, with a request to review the plan within the next 12 months.

**This should all be completed before the end of 20 weeks.**